IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1427 OF 2016
IN
WRIT PETITION NO.2632 OF 2016
WITH
WRIT PETITION NO.2632 OF 2016

Narayan Dwarkanath Mhatre **..Applicant/Petitioner**
Versus
The State of Maharashtra and others **.. Respondents**

ALONGWITH
CIVIL APPLICATION NO.1428 OF 2016
IN
WRIT PETITION NO.2633 OF 2016
WITH
WRIT PETITION NO.2633 OF 2016

Laxmi Ashok Sawant **..Applicant/Petitioner**
Versus
The State of Maharashtra and others **.. Respondents**

ALONGWITH
CIVIL APPLICATION NO.1429 OF 2016
IN
WRIT PETITION NO.2634 OF 2016
WITH
WRIT PETITION NO.2634 OF 2016

Shri. Gangaram Devji Patole **..Applicant/Petitioner**
Versus
The State of Maharashtra and others **.. Respondents**

ALONGWITH

CIVIL APPLICATION NO.1430 OF 2016

IN

WRIT PETITION NO.2635 OF 2016

WITH

WRIT PETITION NO.2635 OF 2016

Dnyaneshwar Raghunath Koli ..Applicant/Petitioner

Versus

The State of Maharashtra and others .. Respondents

ALONGWITH

CIVIL APPLICATION NO.1433 OF 2016

IN

WRIT PETITION NO.2637 OF 2016

WITH

WRIT PETITION NO.2637 OF 2016

Sunanda Kashinath Shivkar ..Applicant/Petitioner

Versus

The State of Maharashtra and others .. Respondents

ALONGWITH

CIVIL APPLICATION NO.1434 OF 2016

IN

WRIT PETITION NO.2638 OF 2016

WITH

WRIT PETITION NO.2638 OF 2016

Janardan Shankar Koli ..Applicant/Petitioner

Versus

The State of Maharashtra and others .. Respondents

ALONGWITH

CIVIL APPLICATION NO.1435 OF 2016

IN

WRIT PETITION NO.2639 OF 2016

WITH

WRIT PETITION NO.2639 OF 2016

Geetabai Ramesh Tandel **..Applicant/Petitioner**

Versus

The State of Maharashtra and others **.. Respondents**

ALONGWITH

CIVIL APPLICATION NO.1436 OF 2016

IN

WRIT PETITION NO.2640 OF 2016

WITH

WRIT PETITION NO.2640 OF 2016

Parvati P. Shivkar **..Applicant/Petitioner**

Versus

The State of Maharashtra and others **.. Respondents**

ALONGWITH

CIVIL APPLICATION NO.1437 OF 2016

IN

WRIT PETITION NO.2651 OF 2016

WITH

WRIT PETITION NO.2651 OF 2016

Jayshree Shridhar Kadam **..Applicant/Petitioner**

Versus

The State of Maharashtra and others **.. Respondents**

ALONGWITH

CIVIL APPLICATION NO.1438 OF 2016

IN

WRIT PETITION NO.2664 OF 2016

WITH

WRIT PETITION NO.2664 OF 2016

Sunil Gosavi **..Applicant/Petitioner**

Versus

The State of Maharashtra and others **.. Respondents**

Mr. R. S. Apte, Senior Advocate i/by Mr. Ketan Dhavle Advocate for the Applicant/Petitioner in all the above Civil Applications.

Mrs. V. S. Nimbalkar, AGP for the Respondent Nos.1 and 2.

Mr. Pravin Samdani, Senior Advocate a/w Mr. Nitesh Ranavat, Mr. Abir Patel i/by Wadia Ghandy & Co., for the Respondent No.5.

CORAM : R. M. SAVANT, J.
DATE : 07th March 2017

P.C.

1 The above Petitions have been filed challenging the orders bearing different dates passed by the Additional Collector, Mumbai City. By the said orders, the orders passed by the Competent Authority and Assistant Commissioner, Municipal Corporation of Greater Mumbai, F/North Ward under Section 33 of the Slum Act came to be confirmed.

2 In the above Petitions Rule came to be issued on 18/03/2016, however, interim relief were refused, as consequence the structures of the Petitioners came to be demolished. It is an undisputed position that on the site

being cleared i.e. the Petitioners structures have been demolished, the work relating to the implementation of the slum rehabilitation scheme is going on, on the site.

3 The above Civil Applications have been filed by the Applicants/Petitioners seeking relief that the Respondent No.5 i.e. the Developers who is implementing the project for the Respondent No.6 Society should be directed to enter into the agreements with the Applicants/Petitioners on the same lines as the agreements entered into with other slum dwellers. Upon this, the learned Senior Counsel appearing on behalf of the Respondent No.5 Shri P K Samdani on instructions of the Respondent No.5 makes the following statement.

(i) That the Respondent No.5 would not contend that the Petitioners had forfeited their rights to a permanent alternate accommodation in the slum rehabilitation scheme being implemented under Regulation 33(10) read with Rule 33(7) of the Development Control Regulations;

(ii) That rental in lieu of temporary alternate accommodation is paid up to April 2018 on the assumption that the project would be completed by April 2018. The learned Senior Counsel Shri Samdani further makes a statement that if the rehab buildings are

not completed by April 2018, then the Applicants/Petitioners would be paid rental in advance on par with other occupants of the land in question;

(iii) That the Respondent No.5 would deposit the same corpus qua the Applicants/Petitioners as the deposit made in respect of other occupants with the Respondent No.6 Society and; lastly

(iv) That the Respondent No.5 would enter into the agreements with the Applicants/Petitioners in the above Civil Applications and the Writ Petitions on the same terms and conditions as the agreements entered into with other occupants. The same would be done within four weeks from date.

4 In view of the statements as aforesaid made by the learned Senior Counsel appearing on behalf of the Respondent No.5, the learned Senior Counsel Shri R S Apte appearing on behalf of the Applicants/Petitioners, on instructions, seeks withdrawal of the above Writ Petitions. The above Writ petitions are accordingly allowed to be withdrawn and dismissed as such. Rule in all the above Writ Petitions would stand discharged. In view of the said statement, the above Civil Applications do not survive and the same to accordingly stand disposed of as such.

[R.M.SAVANT, J]